

## PUBLIC SERVICE COMMISSION OF WISCONSIN

Minutes and Informal Instructions of the Teleconference and Webcast Open Meeting of  
Thursday, April 30, 2020

The Public Service Commission of Wisconsin (Commission) met as noticed. Chairperson Valcq, Commissioner Nowak, and Commissioner Huebner participated.

### **Minutes**

The Commission approved the minutes of the open meeting of Thursday, April 23, 2020.

**1800-CU-100 - Application of the City of Elkhorn, as an Electric and Water Public Utility, for Authority to Construct a New City Administration Building in the City of Elkhorn, Walworth County, Wisconsin**

The Commission approved the Notice of Investigation and directed it to be signed by the Secretary to the Commission.

**4325-WI-100 - Investigation into the Village of Oakdale, Monroe County, Wisconsin, as a Water Public Utility, for the Purchase of a Shared Public Works Building in 2015**

The Commission approved the Notice of Investigation and directed it to be signed by the Secretary to the Commission.

**4625-WI-100 - Investigation into the City of Pewaukee, Waukesha County, Wisconsin, as a Water Public Utility, for the Total Costs and Cost Overruns of the Construction of Still River Well No. 8 and Associated Well House and Reservoir**

The Commission approved the Notice of Investigation and directed it to be signed by the Secretary to the Commission.

**5820-AE-102 - Application of Superior Water, Light and Power Company for Approval of an Affiliated Interest Agreement**

The Commission approved the Notice of Investigation and directed it to be signed by the Secretary to the Commission.

**5990-TE-106 - Application of Town of Two Rivers, as an Electric Public Utility, Manitowoc County, Wisconsin, for a New Load Market Pricing Tariff**

The Commission approved the Notice of Investigation and directed it to be signed by the Secretary to the Commission.

**6630-FR-2019 - Application of Wisconsin Electric Power Company for Reconciliation of Actual Fuel Costs to the Authorized 2019 Fuel Cost Plan**

The Commission approved the Notice of Investigation and directed it to be signed by the Secretary to the Commission.

**9597-TI-101 - Application of Q Link Wireless LLC to Expand its Eligible Telecommunications Carrier Service Area**

The Commission approved the Notice of Investigation and directed it to be signed by the Secretary to the Commission.

**4900-WR-114 - Application of the City of Racine, Racine County, Wisconsin, as a Water Public Utility, for Authority to Adjust Water Rates**

The Commission approved the Notice of Proceeding and directed it to be signed by the Secretary to the Commission.

**9801-CE-100 - Application for a Certificate of Public Convenience and Necessity of Paris Solar Farm, LLC, to Construct a Solar Electric Generation Facility in the Town of Paris, Kenosha County, Wisconsin**

The Commission approved the Notice of Proceeding and directed it to be signed by the Secretary to the Commission.

**9803-CE-100 - Application for Certificate of Public Convenience and Necessity of Wood County Solar Project, LLC to Construct a Solar Electric Generation Facility in the Town of Saratoga, Wood County, Wisconsin**

The Commission approved the Notice of Proceeding and directed it to be signed by the Secretary to the Commission.

**9803-CE-101 - Application for Certificate of Public Convenience and Necessity of Wood County Solar Project, LLC to Construct a Solar Electric Generation Facility Transmission Tie Line in the Town of Saratoga, Wood County, Wisconsin**

The Commission approved the Notice of Proceeding and directed it to be signed by the Secretary to the Commission.

**6690-CC-223720 - Request for Formal Review of Complaint Filed by Tomahawk Power and Pulp Company Against Wisconsin Public Service Corporation**

The Commission denied the request of Tomahawk Power and Pulp Company for a formal review of its complaint against Wisconsin Public Service Corporation (WPSC) regarding that rate WPSC must pay for energy and capacity from the Kings Dam Qualifying Facility (QF).

The Commission directed the Division of Digital Access, Consumer and Environmental Affairs to draft an order consistent with its discussion.

The Commission opened a docket to more broadly examine the treatment of utility avoided energy and capacity costs, including in parallel generation tariffs and purchase rates for QFs.

Commissioner Nowak dissented on the opening of a generic docket.

The Commission directed the Division of Energy Regulation and Analysis to draft a notice consistent with its discussion.

**1-AC-255 - Revision of Wisconsin Administrative Code Chapter PSC 135 Gas Safety to Adopt Updates to the Federal Gas Pipeline Safety Code**

The Commission approved opening a rulemaking docket.

The Commission accepted a Statement of Scope for submission to the Governor's office and directed Commission staff to prepare and transmit the necessary documents to the Governor's office. If the Governor approves the Statement of Scope, Commission staff is directed to prepare and submit the necessary documents to the Legislative Reference Bureau for publication in the *Wisconsin Administrative Register* and concurrently to the Department of Administration.

**3270-CE-128 - Application of Madison Gas and Electric Company for a Certificate of Authority to Construct the Dane County Airport Solar Electric Generating Facility, in Dane County, Wisconsin and for Approval of a Renewable Energy Rider Services Agreement**

The Commission reviewed the request of Madison Gas and Electric (MGE) for authorization to construction the Dane County Airport Solar Electric Generating Facility and for approval of a Renewable Energy Rider Services Agreement between MGE and Dane County (RER Services Agreement), and made the following determinations:

1. The proposed project, if constructed, will meet the requirements of the issuance of a certificate of authority under Wis. Stat. § 196.49(3)(b) and Wis. Admin. Code ch. PSC 112.

2. No higher priority Energy Priority Law alternatives are cost effective, technically feasible, and environmentally sound alternatives to the proposed project.
3. The proposed project complies with Wis. Stat. § 196.49(4).
4. The Commission has complied with the Wisconsin Environmental Policy Act, pursuant to Wis. Stat. § 1.11 and Wis. Admin. Code ch. PSC 4.
5. In addition to the general conditions imposed on construction projects as identified in the Commission memorandum dated April 7, 2020 ([PSC REF#: 387168](#)), the following project specific conditions shall be imposed as a condition of approval.
  - a. MGE must follow the required actions stated in the updated April 22, 2020, Environmental Review (ER) to reduce the chance of impacts to the state threatened bird species. MGE shall report on which actions it took to Commission and Wisconsin Department of Natural Resources (DNR) staff.
  - b. MGE shall update the ER Review if the commencement of construction occurs greater than one year after the current ER Review. The updated ER Review shall be provided to Commission staff prior to the start of construction.
  - c. MGE shall manage site vegetation after the initial establishment phase of two or three years to avoid mowing during the ground-nesting bird season in order to reduce impacts to these species.
  - d. If during final design or as construction starts, MGE becomes aware that more widespread vegetation removal or soil disturbance through grading is necessary, it shall notify Commission and DNR staff within 14 days and at least 5 days prior to implementing the changes. Any changes to construction plans must be in compliance with DNR permits and updated plans must also include appropriate erosion and sediment controls.
  - e. No costs, including but not limited to costs that may be in excess of the estimated costs for the propose project, shall be borne by customers. MGE shall provide documentation in its rate case as to how and to whom project costs have been allocated.
6. The Commission grants, with conditions, a Certificate of Authority for the proposed project.
7. The RER Services Agreement is approved as filed.

The Commission directed the Division of Energy Regulation and Analysis to draft an order consistent with its discussion.

**5-TF-2020 - FY 2020/2021 Telemedicine Grants**

**Medical Telecommunications Equipment Grant Awards for Fiscal Year 2020 and 2021**

The Commission discussed the FY 2020/2021 Telemedicine Grant applications and made the following determinations.

1. The Commission found that the grant application of SSM Health at Home (#14), did not meet the eligibility requirements of the program and did not accept it.
2. The Commission accept the grant application filed by Drops of Kindness, Inc.
3. The Commission awarded grants in the amounts shown to the following applications:

Grantee name	Grant award
La Clinica De Los Campesinos DBA Family Health La Clinica	\$78,100
UnityPoint Health-Meriter Foundation	\$57,200
Sixteenth Street Community Health Centers	\$77,287
Scenic Bluffs Health Centers, Inc.	\$5,934
HSHS Wisconsin	\$105,315
Newcap, Inc.	\$30,760
St. Croix Regional Medical Center	\$54,828
Children's Hospital and Health System, Inc.	\$125,607
Door County Medical Center Foundation	\$16,447
Fort HealthCare, Inc.	\$32,250
The Human Service Center	\$12,582

ThedaCare, Inc.	\$182,531
UnityPoint Health-Meriter	\$16,359
The Lakes Health Center, Inc. dba NorthLakes Community Clinic # 1 (priority)	\$94,800
Drops of Kindness, Inc.	\$10,000
Edgerton Hospital Capital Foundation	\$100,000

The Commission directed the Division of Digital Access, Consumer and Environmental Affairs and the Division of Energy Regulation and Analysis to draft an order consistent with its discussion.

**5-UI-120 - Investigation on the Commission's Own Motion to Ensure Safe, Reliable and Affordable Access to Utility Services During Declared Public Health Emergency for COVID-19**

The Commission reviewed the alternatives listed in Commission staff's memorandum dated April 24, 2020 ([PSC REF#: 388494](#)), related to the Commission's investigation to ensure safe, reliable and affordable access to utility services during the declared public health emergency for COVID-19, and made the following determinations:

1. Not all utilities are required to offer a budget payment plan, regardless of customer class, to all customers. The administrative code and tariff requirements related to budget payment plans remain in effect and unchanged.
2. Regarding application, identification, and residency information, the Commission took no new action. The Commission's order that a utility can request application, identification, and residency information, but cannot delay reconnection or turning on new service if the customer has not provided the information remains in effect until further order of the Commission.

Commissioner Nowak dissented.

3. The Commission authorized the delegation of authority, as outlined in the Commission memorandum, to the Administrator for the Division of Energy Regulation and Analysis for the issuance of additional short-term debt needed to ensure adequate capital and cash

flow for essential services and to address unique cash flow challenges and constraints as a result of COVID-19.

4. The Commission delegated to the applicable Administrators of the Division of Digital Access, Consumer and Environmental Affairs, Division of Energy Regulation and Analysis, and Division of Water Utility Regulation and Analysis the authority to grant deadline tolling and extension requests, except for under circumstances that would compromise public safety or provision of essential service, in which case the Administrator shall elevate such a request to the full Commission.
5. The Commission directed that Commission staff create an expedited process for case-by-case requests for waiver of certain tariff provisions, and delegated authority to Division Administrators to approve, deny, or elevate as appropriate those requests. The Commission declined to approve the temporary waiver of tariffs suggested by the Citizens Utility Board and the Wisconsin Industrial Energy Group.
6. The Commission directed that utilities continue to work with Commission staff on case-specific questions or concerns relating to the performance of safety compliance work inside residences, and directed Commission staff to continue to report back to the Commission on questions received.
7. The Commission clarified and modified order point #2 of the March 24, 2020 Order in this docket to allow for disconnection in cases involving violations of utility rules, meter tampering, failure to provide utility access, and creation of a hazard where a dangerous condition or unsafe method generally does not already exist.
8. To clarify the March 24, 2020 Order relating to Deferred Payment Agreements, the Commission modified order point #4 to include the qualifying language, "if the customer is unable to pay a bill in full."
9. Regarding deposits and reconnection of seasonal customers, the Commission took no new action.
10. The Commission directed Commission staff to send out data requests to obtain additional information and data from stakeholders on the continued appropriateness, necessity, duration and impacts of actions taken by the Commission to suspend administrative rules and alter tariffs in light of COVID-19. Data request responses shall be due by May 15, 2020, and Commission staff will report back to the Commission no later than June 1, 2020.
11. The Commission directed staff to continue to periodically report back the Commission on any of these issues.

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The Commission directed the Division of Digital Access, Consumer and Environmental Affairs, the Division of Energy Regulation and Analysis, and the Division of Water Utility Regulation and Analysis to draft an order and data requests consistent with its discussion.

The Commission adjourned the meeting at 12:18 p.m.

A handwritten signature in black ink that reads "Steffany Powell Coker". The signature is written in a cursive, flowing style.

Steffany Powell Coker  
Secretary to the Commission

DL:01732978